

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.: CV 22-05664-AB

Date: February 22, 2023

Title: *In Re Edward J. Herzstock*

Present: The Honorable **ANDRÉ BIROTTE JR., United States District Judge**

Carla Badirian

N/A

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Appearing

None Appearing

Proceedings: [In Chambers]

On November 8, 2022, this Court issued an Order to Show Cause (“OSC”) stating that “the appellant has not filed the required F.R.B.P. 8009 records.” (Dkt. No. 12.) The Court’s OSC directed Appellant to show cause no later than November 29, 2022 “why the appeal should not be dismissed for these deficiencies.” (*Id.*) Appellant did not respond by November 29, 2022, and the Court in turn dismissed this action. (*See* Dkt. No. 13.) On December 13, 2022, Appellant filed a belated response in which he asked “the court to allow me 30 days to file the transcripts records as designated and filed with the court.” (Dkt. No. 14.) In response, the Court re-instated the case and allowed appellant to “file any remaining documentation on or before January 27, 2023.” Appellant has not filed the remaining transcripts and accordingly, is Ordered to Show Cause no later than February 24, 2023 why the appeal should not be dismissed for these deficiencies. Once more, the Court may consider Appellant’s filing of the missing required documents and fees, along with a declaration of good cause for the delay, sufficient response to the OSC.

IT IS SO ORDERED.